

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

RAYMOND A. FORSMAN,

Plaintiff,

v.

PORT OF SEATTLE,

Defendant.

Case No. C19-2050 RSL-MLP

ORDER

Plaintiff initiated this matter *pro se* on December 17, 2019. (Dkt. # 1.) On August 13, 2020, Defendants<sup>1</sup> moved to dismiss Plaintiff's action pursuant to Federal Rule of Civil Procedure 12(b)(6). (Dkt. # 22.) The Undersigned submitted a Report and Recommendation regarding Defendants' motion to dismiss, recommending Defendants' motion be granted and the matter be dismissed without prejudice, and that Plaintiff be granted leave to amend. (Report and Recommendation (Dkt. # 28).) Plaintiff filed objections to the Report and Recommendation (dkt. # 31) and the Honorable Robert S. Lasnik referred the objections, construed as an amended complaint, to the Undersigned for consideration (dkt. # 32). Plaintiff has since filed a notice of appeal to the Ninth Circuit. (Dkt. # 34.)

<sup>1</sup> Plaintiff's initial complaint named other individual Defendants, however, the operative complaint names only the Port of Seattle as a defendant. (Dkt. # 27.)

1 That appeal is currently pending before the United States Court of Appeals for the Ninth  
2 Circuit and it would be inappropriate for the Court to take any further action with respect to this  
3 case until Plaintiff's appeal has been resolved.

4 Accordingly, the Court hereby ORDERS as follows:

5 (1) The order of reference regarding Plaintiff's amended complaint (dkt. # 32) is  
6 STRICKEN from the Court's motion calendar. The Court will re-note the  
7 amended complaint for consideration once it has been notified by the Ninth  
8 Circuit that Plaintiff's appeal has been resolved.

9 (2) The Clerk is directed to send copies of this order to the parties and to the  
10 Honorable Robert S. Lasnik.

11 Dated this 5th day of January, 2021.

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14 MICHELLE L. PETERSON  
15 United States Magistrate Judge  
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